

BEFORE THE STATE BOARD OF EQUALIZATION
OF THE STATE OF CALIFORNIA

In the Matter of the Appeal of }
DALE AREA }

For Appellant: Dale Area, in pro..per.
For Respondent: Bruce W. Walker
Chief Counsel
James C. Stewart
Counsel

O P I N I O N

This appeal is made pursuant to section 19059 of the Revenue and Taxation Code *from* the action of the Franchise Tax Board in denying the claims of Dale Area for refund of personal income tax in the amounts of \$546.00 and \$995.00 for the years 1973 and 1974, respectively.

Appeal of Dale Area

On his 1973 and 1974 California personal income tax returns, appellant reported taxes due of \$546.00 and \$995.00, respectively. Subsequently, appellant filed claims for refund of those amounts on the basis of his contention that he did not receive any taxable income during either of the years in question.

Appellant contends that the Federal Reserve notes which he received do not constitute income to him because they are not dollars of standard value and because the notes have no intrinsic value. Essentially, appellant's basis for concluding that the Federal Reserve notes are not income is the fact that they cannot be redeemed in gold or silver.

The issues and arguments presented by this appeal were considered by this board in the Appeal of Donald H. Lichtle, decided October 6, 1976. For the reasons set forth in that opinion, respondent's action in denying appellant's claims for refund must be sustained. (See George W. Kearse, T.C. Memo., Dec. 6, 1976; Appeal of Iris E. Clark, Cal. St. Bd. of Equal., March 8, 1976.)

O R D E R

Pursuant to the views expressed in the opinion of the board. on file' in this proceeding, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, pursuant to section 19060 of the Revenue and Taxation Code, that the action of the Franchise Tax Board in denying the claims of Dale Area for refund of personal income tax in the amounts of \$546.00 and \$995.00 for the years 1973 and 1974, respectively, be and the same is hereby sustained.

William W. Bennett, Chairman
 Robert G. ... , Member
 ... , Member
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 ... , Member

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